To transfer the United States Secret Service to the Department of the Treasury.

IN THE HOUSE OF REPRESENTATIVES

Mr. Williams introduced the following bill; which was referred to the Committee on __________________________

A BILL

To transfer the United States Secret Service to the
Department of the Treasury.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Secret
Service Mission Improvement and Realignment Act of
2020”.

SEC. 2. FUNCTIONS TRANSFERRED.

(a) In General.—In accordance with this Act, there
shall be transferred to the Secretary of the Treasury the
functions, personnel, assets, and obligations of the United
States Secret Service, including the functions of the Sec-
retary of Homeland Security relating thereto.
(b) DISTINCT ENTITY.—The United States Secret
Service shall be maintained as a distinct entity within the
Department of the Treasury.

SEC. 3. TRANSITIONAL AUTHORITIES.

(a) Provision of Assistance by Officials.—
Until the transfer of the United States Secret Service to
the Department of the Treasury, any official having au-
thority over or functions relating to the United States Se-
cret Service immediately before the date of enactment of
this Act shall provide to the Secretary of the Treasury
such assistance, including the use of personnel and assets,
as the Secretary of the Treasury may request in preparing
for the transfer and integration of the United States Se-
cret Service into the Department of the Treasury.

(b) Services and Personnel.—During the period
beginning on the date of enactment of this Act and ending
on the effective date of this Act, upon the request of the
Secretary of the Treasury, the head of any executive agen-
cy may, on a reimbursable basis, provide services or detail
personnel to assist with the transition.

(c) Transfer of Personnel, Assets, Obliga-
tions, and Functions.—Upon the transfer of the
United States Secret Service to the Department of the Treasury—

(1) the personnel, assets, and obligations held by or available in connection with the United States Secret Service shall be transferred to the Secretary of the Treasury for appropriate allocation, subject to the approval of the Director of the Office of Management and Budget and in accordance with section 1531(a)(2) of title 31, United States Code; and

(2) the Secretary of the Treasury shall have all functions relating to the United States Secret Service that any other official could by law exercise in relation to the United States Secret Service immediately before such transfer, including all such functions vested in the Secretary of Homeland Security by the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) or any other law.

SEC. 4. SAVINGS PROVISIONS.

(a) Completed Administrative Actions.—

(1) In General.—Any completed administrative action of the United States Secret Service shall not be affected by the enactment of this Act or the transfer of the United States Secret Service to the Department of the Treasury, but shall continue in effect according to the terms of the completed ad-
ministrative action until the completed administrat-
ive action is amended, modified, superseded, termi-
nated, set aside, or revoked in accordance with law
by an officer of the United States or a court of com-
petent jurisdiction, or by operation of law.

(2) Completed administrative action defined.—In this subsection, the term "completed ad-
ministrative action" includes an order, a determina-
tion, a rule, a regulation, a personnel action, a per-
mit, an agreement, a grant, a contract, a certificate,
a license, a registration, and a privilege.

(b) Pending proceedings.—

(1) In general.—Any pending proceeding in
the United States Secret Service, including a notice
of proposed rulemaking and an application for a li-
cense, permit, certificate, grant, or financial assis-
ance, shall continue notwithstanding the enactment
of this Act or the transfer of the United States Se-
cret Service to the Department of the Treasury, un-
less the pending proceeding is discontinued or modi-
fied under the same terms and conditions and to the
same extent that such discontinuance could have oc-
curred if such enactment or transfer had not oc-
curred.
(2) ORDERS.—Any order issued in a proceeding described in paragraph (1), or an appeal therefrom, and any payment made pursuant to such an order, shall issue in the same manner and on the same terms as if this Act had not been enacted or the United States Secret Service had not been transferred, and the order shall continue in effect until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(c) PENDING CIVIL ACTIONS.—Any pending civil action shall continue notwithstanding the enactment of this Act or the transfer of the United States Secret Service to the Department of the Treasury, and in the pending civil action, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment or transfer had not occurred.

(d) REFERENCES.—Any reference relating to the United States Secret Service in a statute, an executive order, a rule, a regulation, a directive, or a delegation of authority that precedes such transfer or the effective date of this Act shall be deemed to refer, as appropriate, to the Department of the Treasury and the United States
Secret Service, to its officers, employees, or agents, or to its corresponding organizational units or functions.

(c) **EMPLOYMENT PROVISIONS.—**

(1) **REGULATIONS.—** The Secretary of the Treasury may, in regulations prescribed jointly with the Director of the Office of Personnel Management, adopt the rules, procedures, terms, and conditions established by statute, rule, or regulation before the effective date of this Act relating to employment in the United States Secret Service transferred to the Department of the Treasury by this Act.

(2) **EFFECT OF TRANSFER ON CONDITIONS OF EMPLOYMENT.—** Except as otherwise provided in this Act, or under authority granted by this Act, the transfer pursuant to this Act of personnel shall not alter the terms and conditions of employment, including compensation, of any employee so transferred.

(f) **STATUTORY REPORTING REQUIREMENTS.—** Any statutory reporting requirement that applied to the United States Secret Service transferred to the Department of Treasury by this Act immediately before the date of enactment of this Act shall continue to apply following that transfer if the statutory requirement refers to the United States Secret Service by name.
SEC. 5. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, in consultation with the Secretary of the Treasury, is authorized and directed to make such additional incidental dispositions of personnel, assets, and liabilities held, used, arising from, available, or to be made available, in connection with the functions transferred by this Act, as the Director determines necessary to accomplish the purposes of this Act.

SEC. 6. REFERENCES.

With respect to any function transferred by this Act and exercised on or after the effective date of this Act, any reference in any other Federal law to the United States Secret Service or any officer or office the functions of which are so transferred shall be deemed to refer to the Secretary of the Treasury or the official or component of the Department of the Treasury to which such function is so transferred.

SEC. 7. REPORT ON EXPENDITURES FOR THE PURPOSE OF PROVIDING PROTECTION DURING THE COURSE OF TRAVEL.

(a) DEFINITIONS.—In this section—

(1) the term “covered travel”—

(A) means any trip by a protected individual with a stop at a location that is not
owned or controlled by the Federal Government;

and

(B) includes any trip described in subparagraph (A) that is outside of the United States.

(2) the term “immediate family” does not include any child under the age of 26;

(3) the term “incidental expenditure”—

(A) means a travel expenditure incurred by United States Secret Service personnel and re-imbursed by the United States Secret Service; and

(B) does not include expenditures described in clauses (i) or (ii) of subsection (b)(1)(E);

(4) the term “protected individual” means the President, the Vice President, and members of the immediate family of the President and Vice President during the period for which a report is submitted under subsection (b);

(5) the term “travel expenditure”—

(A) means any expenditure of funds by the United States Secret Service for the purpose of providing protection to a protected individual during the course of covered travel;
(B) includes any expenditure incurred by an Executive department or agency for the purpose of providing protection to a protected individual during the course of covered travel and reimbursed by the United States Secret Service; and

(C) does not include any expenditure for—

(i) the pay of United States Secret Service personnel;

(ii) the operation or maintenance of any permanent protective asset; or

(iii) incidental expenditures.

(b) REPORT.— Not later than December 31 of each year, the Director of the United States Secret Service shall submit to the committees listed in section 9 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note), an annual report that, with respect to the previous fiscal year, includes, at a minimum—

(1) for each instance of covered travel, a statement of—

(A) the protected individual or protected individuals, if more than 1 protected individual is traveling;

(B) the dates of departure and return;
(C) each city and State or, if outside of the United States, city and country, visited;

(D) the total amount of travel expenditures;

(E)(i) the total amount of expenditures for operational costs, including the cost of using—

(I) any asset to transport a protected individual; or

(II) any space and facility for operational purposes; and

(ii) the total amount of expenditures for transportation, lodging, and per diem; and

(F) the name of and amount paid to—

(i) if the total amount paid is greater than $5,000, any individual who is not an employee of the Federal Government or a foreign government; and

(ii) if the total amount paid is greater than $5,000, any entity that is not an entity of the Federal Government or a foreign government.

(2) for each protected individual, the total amount of incidental expenditures incurred for the purpose of providing protection to the protected individual during the reporting period.
(c) FORM OF REPORT.—The report required by subsection (b) shall be submitted in unclassified form, but may include a nonpublic annex for information reported under subsection (b)(1)(F) that the United States Secret Service determines could harm the protective mission if publicly disclosed and classified information. The nonpublic annex and any draft of the annex shall be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

SEC. 8. TECHNICAL AND CONFORMING AMENDMENTS.

(a) HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 2(11) (6 U.S.C. 101(11)), by striking “except—” and all that follows through “the Coast Guard, when” and inserting “except the Coast Guard, when”;

(2) in section 103(d) (6 U.S.C. 113(d))—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(3) in section 210G (6 U.S.C. 124n)—

(A) in subsection (a)—
(i) by striking “the Secretary and the Attorney General” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, and the Attorney General”; and

(ii) by striking “the Secretary or” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, or”;

(B) in subsection (b)—

(i) in paragraph (2), by striking “The Secretary” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”;

(ii) in paragraph (3), by striking “The Secretary” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”; and

(iii) in paragraph (4), by striking “The Secretary” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”;

(C) in subsection (c), by striking “the Secretary” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury,”;

(D) in subsection (d)—
(i) in paragraph (1), by striking “The Secretary,” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”; and

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking “The Secretary” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”; and

(II) in subparagraph (B), by striking “The Secretary” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”;

(E) in subsection (e)—

(i) in paragraph (3), by inserting “, the Secretary of the Treasury,” after “the Secretary of Homeland Security”; and

(ii) in paragraph (4)—

(I) in the matter preceding subparagraph (A), by inserting “, the Department of the Treasury,” after “Department of Homeland Security”; and

(II) in subparagraph (C)—
(aa) by striking “and the Department of Justice” and inserting “, the Department of the Treasury, and the Department of Justice, or any combination of those agencies,”; and

(bb) by striking “either agency” and inserting “any such agencies”; and

(iii) in paragraph (5), by inserting “, the Department of the Treasury,” after “Department of Homeland Security”;

(F) in subsection (f), in the first sentence—

(i) by striking “The Secretary” and inserting “The Secretary of Homeland Security, the Secretary of the Treasury,”;

(ii) by inserting “, treasury,” after “homeland security”; and

(iii) by inserting “, the Department of the Treasury,” after “Department of Homeland Security”;

(G) in subsection (g)—

(i) in paragraph (1), by striking “the Secretary” and inserting “the Secretary of
Homeland Security, the Secretary of the
Treasury,”;

(ii) in paragraph (3)—

(I) in subparagraph (E), by insert-
ning “, the Department of the
Treasury,” after “Department of Jus-
tice”;

(II) in subparagraph (F), by
striking “how the Secretary,” and in-
serting “how the Secretary of Home-
land Security, the Secretary of the
Treasury,”; and

(III) in subparagraph (G), by
striking “how the Secretary,” and in-
serting “how the Secretary of Home-
land Security, the Secretary of the
Treasury,”; and

(iii) in paragraph (5), in the first sen-
tence, by striking “the Secretary” and in-
serting “the Secretary of Homeland Secu-
rity, the Secretary of the Treasury,”;

(H) in subsection (h)—

(i) in paragraph (1), by striking “the
Secretary or” and inserting “the Secretary
of Homeland Security, the Secretary of the Treasury, or’’;

(ii) in paragraph (2), by striking “the Secretary or” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, or’’;

(iii) in paragraph (3), by inserting “or the Secretary of the Treasury” after “Attorney General”; 

(iv) in paragraph (4)—

(I) by inserting “or the Secretary of the Treasury” after “the Secretary of Homeland Security”; and

(II) by striking “; or” and inserting a semicolon;

(v) by redesignating paragraph (5) as paragraph (6);

(vi) by inserting after paragraph (4) the following:

“(5) vest in the Secretary of the Treasury any authority of the Secretary of Homeland Security or the Attorney General; or”; and

(vii) in paragraph (6), as so redesignated—
(I) by striking “the Secretary or” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, or the”; and

(II) by striking “the Secretary and” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, and the”;

(I) in subsection (j), by striking “the Secretary” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury,”;

(J) in subsection (k)—

(i) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking “the Secretary or” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, or”; and

(bb) by striking “subparagraph (C)(i)(II) and (C)(iii)(I)” and inserting “clauses (iii) and (iv)(I) of subparagraph (C)”;

(II) in subparagraph (C)—
(aa) in the matter preceding clause (i), by striking “one” and inserting “1”;  

(bb) in clause (i)—  

(AA) in the matter preceding subclause (I), by inserting “of Homeland Security” after “Secretary”;  

(BB) in subclause (I), by inserting “or” at the end;  

(CC) by striking subclause (II); and  

/DD) by redesignating subclause (III) as subclause (II);  

(ec) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;  

(dd) by inserting after clause (ii) the following:  

“(iii) missions authorized to be performed by the Department of the Treasury, consistent with governing statutes, regulations, and orders issued by the Secretary of the Treasury pertaining to
United States Secret Service protection operations pursuant to sections 3056(a) and 3056A(a) of title 18, United States Code, and the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note);”;

(ee) in clause (iv), as so redesignated, in the matter preceding subclause (I)—

(AA) by inserting “, the Department of the Treasury,” after “Department of Homeland Security”; and

(BB) by striking “the Secretary or” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury, or”; and

(ff) in clause (v), as so redesignated—

(AA) by striking “clause (iii)” and inserting “clause (iv)” ; and

(BB) by striking “Secretary,” and inserting “Sec-
(ii) in paragraph (5)—

(I) by inserting “, treasury,” after “homeland security”;

(II) by striking “the Secretary” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury,”; and

(III) by inserting “, respectively,” after “Attorney General”;

(iii) in paragraph (6), by inserting “, the Department of the Treasury,” after “Department of Homeland Security”; and

(iv) in paragraph (8), in the matter preceding subparagraph (A), by striking “the Secretary” and inserting “the Secretary of Homeland Security, the Secretary of the Treasury,”; and

(K) in subsection (l)(1), in the matter preceding subparagraph (A)—

(i) by striking “Secretary shall” and inserting “Secretary of Homeland Security shall”; and
(ii) by inserting “, the Secretary of the Treasury,” after “Attorney General”; and

(4) in section 875(d)(1) (6 U.S.C. 455(d)(1)), in the first sentence, by striking “the Secret Service or”.

(b) TITLE 18.—Chapter 203 of title 18, United States Code, is amended—

(1) in section 3056, in subsections (a), (b), (c), (e)(1), (f), and (g), by striking “of Homeland Security” each place that term appears and inserting “of the Treasury”; and

(2) in section 3056A—

(A) in subsection (a), in the matter preceding paragraph (1), in the second sentence, by striking “of Homeland Security” and inserting “of the Treasury”; and

(B) in subsection (d), in the first and second sentences, by striking “of Homeland Security” and inserting “of the Treasury”.

(c) TITLE 5.—Title 5, United States Code, is amended—

(1) in section 6324(b)(3), by striking “of Homeland Security” and inserting “of the Treasury”; and
(2) in section 10201(2), by striking “the Department of Homeland Security” and inserting “the Treasury”.


(1) in section 8D(b)(1)—

(A) in the first sentence, by inserting “and by the Office of Professional Responsibility of the United States Secret Service” after “Trade Bureau”; and

(B) in the second sentence, by striking “The head of such” and inserting “The head of each such”; and

(2) in section 8I(e), in the first sentence, by striking “the Office of Inspections of the United States Secret Service,”.


(1) in subsection (d), in the first sentence, by striking “of Homeland Security” and inserting “of the Treasury”; and

(2) in subsection (e)—
(A) in paragraph (1), by striking “of Homeland Security” and inserting “of the Treasury”; and

(B) in paragraph (2), by striking “of Homeland Security” and inserting “of the Treasury”.

(f) IMPLEMENTING RECOMMENDATIONS OF THE 9/11 COMMISSION ACT OF 2007.—Section 502 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53; 121 Stat. 310) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 9. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date that is 30 days after the date of enactment of this Act.

(b) TRANSITION PERIOD.—Any action authorized to be taken under subsection (a) or (b) of section 3 may be taken beginning on the date of enactment of this Act.

SEC. 10. RULE OF CONSTRUCTION.

Except as provided in section 8, nothing in this Act or the amendments made by this Act shall be construed to modify or amend section 3056 or 3056A of title 18,
1 United States Code, or the Homeland Security Act of
2 2002 (6 U.S.C. 101 et seq.).
3
4 SEC. 11. AUTHORIZATION OF APPROPRIATIONS.
5
6 There are authorized to be appropriated such sums
7 as are necessary to carry out this Act and the amendments
8 made by this Act.